

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

	)	CRIM. NO. 05-30030-MAP
	)	
UNITED STATES OF AMERICA	)	VIOLATIONS:
	)	
	)	18 U.S.C. §371 and 18 U.S.C.
	)	§922(a)(1) - Conspiracy to
	)	Deal in Firearms without a
	)	License (Count One)
	)	
	)	18 U.S.C. §922(a)(1) - Dealing
	)	in Firearms without a License
	)	(Counts Two and Six)
	)	
	)	18 U.S.C. §922(g)(1) -
	)	Possession of a Firearm by a
	)	Convicted Felon (Counts Three
	)	and Seven)
v.	)	
	)	26 U.S.C. §5861(d) - Possession
	)	of an Unregistered Firearm
	)	(Count Four)
	)	
	)	26 U.S.C. §5861(e) - Transfer
	)	of an Unregistered Firearm
	)	(Count Five)
	)	
	)	18 U.S.C. § 2 -
	)	Aiding and Abetting
(1) MICHAEL CECCHETELLI,	)	(Count Six)
and	)	
(2) CHARLES HOWARD,	)	21 U.S.C. § 853 -
Defendants	)	Forfeiture Allegation
	)	

INDICTMENT

The Grand Jury charges that:

COUNT ONE: Title 18, United States Code, Section 371 -  
Conspiracy; Title 18 United States Code, Section  
922(a)(1) - Dealing in Firearms without a License

From on or about December 2004, and continuing through the date of this indictment, in the District of Massachusetts,

**(1) MICHAEL CECCHETELLI, and**

**(2) CHARLES HOWARD,**

the Defendants herein, together with others known and unknown to the grand jury, did unlawfully, willfully, and knowingly combine, conspire, confederate and agree among themselves and each other to commit certain offenses against the United States by willfully engaging in the business of dealing in firearms without a license in violation of Title 18, United States Code, Section 922(a)(1)(A).

In furtherance of the conspiracy and to achieve the objects thereof, the defendants and their co-conspirators, known and unknown to the grand jury, committed and caused to be committed the following overt acts in the District of Massachusetts:

(A) On February 24, 2005, Defendants Cecchetelli and Howard sold a firearm to an individual who is known to the government.

All in violation of Title 18, United States Code, Sections 371 and 922(a)(1).

**COUNT TWO: Title 18 United States Code, Section 922(a)(1) -  
Dealing in Firearms without a License**

On or about December 2, 2004, in the District of  
Massachusetts,

MICHAEL CECCHETELLI

the Defendant herein, willfully engaged in the business of  
dealing in firearms without a license by selling the following  
firearm:

- 12 gauge Winchester Shotgun, serial number L2090062

All in violation of Title 18, United States Code, Section  
922(a)(1).

**COUNT THREE: Title 18, United States Code, Section 922(g)(1) - Possession of a Firearm by a Convicted Felon**

On or about December 2, 2004, in Hampden County, in the District of Massachusetts,

MICHAEL CECCHETELLI,

defendant herein, having previously been convicted of a crime punishable by a term of imprisonment exceeding one year, knowingly did possess, in or affecting interstate commerce, the following firearm:

- 12 gauge Winchester shotgun, serial number L2090062.

All in violation of Title 18, United States Code, Section 922(g)(1).

**COUNT FOUR: Title 26, United States Code, Section 5861(d) - Possession of an Unregistered Firearm**

On or about December 2, 2004, in Hampden County, in the District of Massachusetts,

MICHAEL CECCHETELLI,

Defendant herein, knowingly received and possessed a firearm, a 12 gauge Winchester shotgun, serial number L2090062, the shotgun's barrel length being less than 14 inches, and the shotgun not registered in the National Firearms Registration and Transfer Record.

All in violation of Title 26, United States Code, Sections 5841, 5861(d), and 5871.

**COUNT FIVE: Title 26, United States Code, Section 5861(e) -  
Transfer of an Unregistered Firearm**

On or about December 2, 2004, in Hampden County, in the  
District of Massachusetts,

MICHAEL CECCHETELLI,

Defendant herein, knowingly and unlawfully transferred a firearm,  
a 12 gauge Winchester shotgun, serial number L2090062, to another  
individual. The shotgun's barrel length was less than 14 inches.

All in violation of Title 26, United States Code, Sections  
5841, 5861(e), and 5871.

**COUNT SIX:** Title 18, United States Code, Section 922(a)(1) -  
Dealing in Firearms without a License; Title 18  
United States Code, Section 2, Aiding and Abetting

On or about February 24, 2005, in the District of  
Massachusetts,

CHARLES HOWARD,

Defendant herein, willfully engaged in the business of dealing in  
firearms without a license by selling the following firearm:

- .45 Caliber semiautomatic pistol, Model AMT Hardballer,  
serial number A 26175

All in violation of Title 18 United States Code, Section  
922(a)(1); and, Title 18, United States Code, Section 2.

**COUNT SEVEN: Title 18, United States Code, Section 922(g)(1) - Possession of a Firearm and Ammunition by a Convicted Felon**

On or about February 24, 2005, in Hampden County, in the District of Massachusetts,

CHARLES HOWARD,

Defendant herein, having previously been convicted of a crime punishable by a term of imprisonment exceeding one year, knowingly did possess, in or affecting interstate commerce, the following firearm and ammunition:

- .45 caliber semiautomatic pistol, Model AMT Hardballer, serial number A 26175
- .45 caliber ammunition

All in violation of Title 18, United States Code, Section 922(g)(1).



**FORFEITURE ALLEGATION**

**(21 U.S.C. § 853)**

1. As a result of the offenses alleged in Counts One, Two, and Six of this Indictment,

(1) MICHAEL CECCHETELLI, and

(2) CHARLES HOWARD,

defendants herein, shall forfeit to the United States any and all property constituting, or derived from, any proceeds the defendants obtained, directly or indirectly, as a result of the offenses, and any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses.

2. If any of the properties described in paragraph 1, above, as a result of any act or omission of the defendants -

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third party;

(c) has been placed beyond the jurisdiction of the Court;

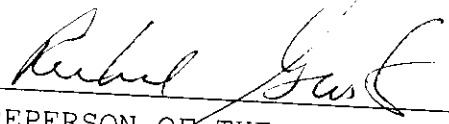
(d) has been substantially diminished in value; or

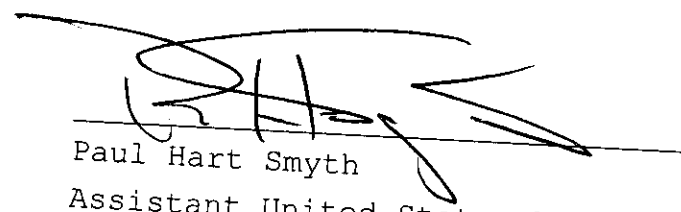
(e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property described in paragraph 1.

All in violation of Title 21, United States Code, Section 853.

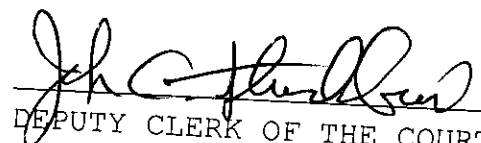
A TRUE BILL

  
FOREPERSON OF THE GRAND JURY

  
Paul Hart Smyth  
Assistant United States Attorney

DISTRICT OF MASSACHUSETTS: JUNE 9, 2005

Returned into the District Court by the Grand Jurors and filed.

  
DEPUTY CLERK OF THE COURT  
4:15 PM

JS 45 (5/97) - (Revised USAO MA 6/29/04)

U.S. District Court - District of Massachusetts

**Criminal Case Cover Sheet**Place of Offense: Massachusetts Category No. 2 Investigating Agency FBICity SpringfieldCounty Hampden**Related Case Information:**Superseding Ind./ Inf. \_\_\_\_\_ Case No. \_\_\_\_\_  
Same Defendant \_\_\_\_\_ New Defendant \_\_\_\_\_  
Magistrate Judge Case Number \_\_\_\_\_  
Search Warrant Case Number \_\_\_\_\_  
R 20/R 40 from District of \_\_\_\_\_**Defendant Information:**Juvenile ☐ Yes ☒ NoDefendant Name Danny Ross

Alias Name \_\_\_\_\_

Address 60 Suffolk Street (2<sup>nd</sup> Floor), Springfield, MABirth date (Year only): 1976 SSN (last 4 #): 4070 Sex M Race: Black Nationality: \_\_\_\_\_

Defense Counsel if known: \_\_\_\_\_ Address: \_\_\_\_\_

Bar Number: \_\_\_\_\_

**U.S. Attorney Information:**AUSA Todd E. Newhouse Bar Number if applicable \_\_\_\_\_Interpreter: ☐ Yes ☒ No

List language and/or dialect: \_\_\_\_\_

Matter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested☐ Regular Process☐ In Custody**Location Status:**

Arrest Date: \_\_\_\_\_

☐ Already in Federal Custody as \_\_\_\_\_ in \_\_\_\_\_☐ Already in State Custody \_\_\_\_\_ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by \_\_\_\_\_ on \_\_\_\_\_Charging Document: ☐ Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty ☐ Misdemeanor ☒ Felony 2

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: June 9, 2005Signature of AUSA: Todd E. Newhouse

District Court Case Number (To be filled in by deputy clerk): \_\_\_\_\_

Name of Defendant Danny Ross

## U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 USC 841</u>	<u>Distribution &amp; Possession w/Intent to Distribute</u> Cocaine Base	<u>1-2</u>
Set 2	<u>18 USC 2</u>	<u>Aiding and Abetting</u>	<u>1-2</u>
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: